

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Christopher F. Parker
Serial No.: 09/349,198
Filing Date: July 7, 1999
Confirmation No. 6293
Group Art Unit: 3693
Examiner: Ella Colbert
Title: *Database Table Recovery System*

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Statement of Substance of Interview

In an Interview Summary mailed October 4, 2006, Applicant was instructed as follows:

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office Action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Applicant accepts the Examiner's statement of the substance of the interview except as expanded upon or modified by the following comments:

- In the telephone conference summarized in the Examiner's Interview Summary, Applicant's attorney, Chad Terrell, explained to Examiner Colbert that Applicant's attorneys had not received a copy of the Office Action due to an error by the Patent Office and that the abandoned status of the Application was improper.

- In a follow-up telephone conference in which Examiner Colbert, Luke Pedersen (another of Applicant's attorneys), and Mr. Terrell participated, Mr. Pedersen explained to Examiner Colbert that Applicant should not be required to endure the Petition process to remove the abandoned Application status when the error was clearly the fault of the Patent Office. Examiner Colbert maintained that the Petition process should be pursued by Applicant.
- Mr. Pedersen telephoned the Examiner's supervisor, Mr. James Trammell, to discuss the abandoned status of the Application. Examiner Trammell did not answer, and Mr. Pedersen left a voicemail.
- Examiner Trammell indicated in a return call that since the abandoned Application status was the fault of the Patent Office, a new Office Action would be mailed in early October 2006, thereby revoking the holding of abandonment. To date, the status of the Application remains abandoned (as indicated at the Private PAIR section of the U.S. Patent Office website), and no Office Action has been received by Applicant's attorneys.

If the Examiner feels that a telephone conference is necessary for any reason, the Examiner is invited to contact Chad D. Terrell, Attorney for Applicant, at the Examiner's convenience at (214) 953-6813.

Although Applicant believes no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. **02-0384** of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicant

Chad D. Terrell
Reg. No. 52,279

Date: November 6, 2006

Customer I.D. No. **05073**